

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

ROBERT E. COLE,)	
)	
Plaintiff,)	
)	No. 3:12-cv-0332
v.)	
)	Judge Sharp
STATE OF TENNESSEE, et al.,)	Magistrate Judge Bryant
)	
Defendants.)	

ORDER

Plaintiff Robert Cole, a prisoner proceeding *pro se*, filed a Complaint on April 2, 2012, against multiple defendants, including Paul Alexander, M.D., wherein he asserted numerous constitutional and statutory claims for purported violations of his constitutional rights. *See* (Docket Entry No. 1 and 11, Complaint).

Pending before the Court is *Paul Alexander M.D.'s Motion to Dismiss for Failure to State a Claim* (Docket Entry No. 50). Plaintiff did not file a response in opposition to the motion.

Magistrate Judge Bryant entered a Report and Recommendation (“R & R”) (Docket Entry No. 73) in this case on March 6, 2013, concluding “plaintiff’s allegations against defendant Alexander... do not contain enough facts to make plaintiff’s claim against this defendant plausible, as required by *Ashcroft v. Iqbal*.” (*Id.* at 4). Therefore, recommending that “defendant Alexander’s motion to dismiss be GRANTED, and the complaint against him [be] DISMISSED with prejudice.” (*Id.*). No objections were made to the R & R.

Where no objections are made to the R & R, “[t]he district judge may accept, reject, or modify the recommended disposition; receive further evidence; or return the matter to the

magistrate judge with instructions.” Fed. R. Civ. P. 72(b). Having thoroughly reviewed the record in this case and the applicable law in accordance with Rule 72(b), the Court will accept the R & R.

Accordingly, the Court hereby rules as follows:

(1) The Report and Recommendation (Docket Entry No. 73) is hereby ACCEPTED and APPROVED;

(2) *Paul Alexander M.D.’s Motion to Dismiss for Failure to State a Claims* (Docket Entry No. 50) is hereby GRANTED; and

(3) The claims against Defendant Alexander are hereby DISMISSED WITH PREJUDICE.

This action is hereby returned to the Magistrate Judge for further pretrial management in accordance with Local Rule 16.01 for claims against the remaining defendants.

It is SO ORDERED.

A handwritten signature in black ink that reads "Kevin H. Sharp". The signature is written in a cursive, flowing style. Below the signature is a horizontal line.

KEVIN H. SHARP
UNITED STATES DISTRICT JUDGE